

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 7-2004)

ATTORNEY'S DOCKET NUMBER

BAW-0021

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/585439**

INTERNATIONAL APPLICATION NO.  
**PCT/DE2005/000011**

INTERNATIONAL FILING DATE  
**01/07/2005**

PRIORITY DATE CLAIMED  
**01/09/2004**

TITLE OF INVENTION  
**MEDICAL SUCTION APPARATUS**

APPLICANT(S) FOR DO/EO/US  
**Stephan Clasen, et al**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13~~ter~~.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV826621879US**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-top: 10px;">10/585439</div>	INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; margin-top: 10px;">PCT/DE2005/000011</div>	ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; margin-top: 10px;">BAW-0021</div>																																																												
23. Other items or information: <div style="margin-top: 10px;">Formal Drawings (1 pg); Statement Under 37 C.F.R. 1.52(d); Claim for Priority, Certificate of Mailing, Postcard</div>																																																														
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PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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- APR 20 2006 PCT/PTO 07 JUL 2006
- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 06-1130 in the amount of \$ \$1,000.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1130. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 23413

  
SIGNATURE

Leah M. Reimer

NAME

39,341

REGISTRATION NUMBER

July 7, 2006

DATE

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Stephan Clasen, et al

Docket No.

BAW-0021

10/585439

Application No.  
NYA

Filing Date  
NYA

Examiner  
NYA

Customer No.  
23413

Group Art Unit  
NYA

Invention: **MEDICAL SUCTION APPARATUS**

I hereby certify that the following correspondence:

Trans. Letter (3 pgs), Application (9 pgs), Drawings (1 pg), Claim for Priority (1 pg), Statement Under 37 C.F.R. 1.52(d) (1 pg); Preliminary Amend (5 pgs); International Appln No. PCT/DE2005/000011 (13 pgs); Translation of Int'l Appln No. PCT/DE2005/000011 (9 pgs); International Search Report (10 pgs); Postcard

*(Identify type of correspondence)*

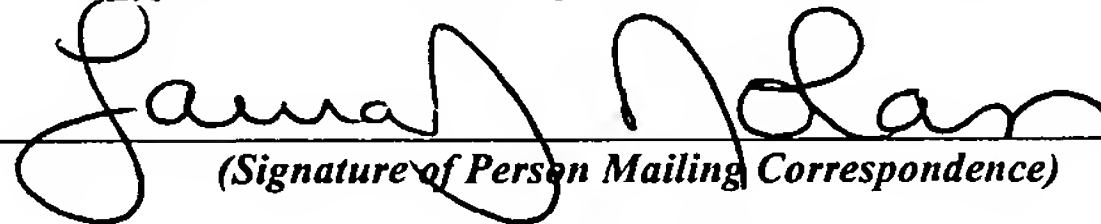
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 7, 2006

*(Date)*

Laura J. Nolan

*(Typed or Printed Name of Person Mailing Correspondence)*



*(Signature of Person Mailing Correspondence)*

EV826621879US

*("Express Mail" Mailing Label Number)*

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10/585439  
AP20 Rec'd PCT/PTO 07 JUL 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Stephan CLASEN, et al. )  
SERIAL NO: NYA ) Group Art Unit: N/A  
FILED: NYA ) Before the Examiner: N/A  
FOR: MEDICAL SUCTION APPARATUS )

## STATEMENT UNDER 37 C.F.R. § 1.52(d)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby state that attached English language document is a true and accurate translation of the original non-English language document, identified as International Application No. PCT/DE2005/000011 filed January 7, 2005, to the best of my knowledge and belief. If there are any additional charges with respect to this Statement, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorney.

Respectfully submitted,

CANTOR COLBURN LLP

By

Leah M. Reimer

Registration No.: 39,341

Date: July 7, 2006  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone: (860) 286-2929  
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